

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LUTHER LOPEZ,

Plaintiff,

– *against* –

TRANSUNION, LLC, EXPERIAN
INFORMATION SOLUTIONS, INC., *and*
CHEX SYSTEMS, INC.,

Defendants.

ORDER

24-cv-07948 (ER)

RAMOS, D.J.:

On October 18, 2024, this case was removed from New York state court to this Court. *See* Doc. 1. On November 15, 2024, plaintiff Lopez, appearing *pro se*, filed a notice of voluntary dismissal, pursuant to FRCP 41(a), asking for the case to be dismissed without prejudice and “sent back to state court.” Doc. 11. Defendants filed a response on November 25, 2024, opposing Lopez’s notice of voluntary dismissal. Doc. 13. In that response, Defendants stated that defendant TransUnion was the only Defendant properly served with all the pleadings in the instant case. *Id.* ¶¶ 11, 13, 20.

At a telephonic conference held on December 17, 2024, Lopez withdrew his application to voluntarily dismiss the action and indicated he will proceed in this Court. The Court reminded Lopez of the need to serve the remaining defendants with the pleadings.

On February 4, 2025, Experian Information Solutions, Inc. filed a status update with the Court, in which it stated that Chex Systems, Inc. “has not received service of the summons and complaint since this Court’s order, dated December 17, 2024, reminded plaintiff of the need to serve the remaining defendants.” Doc. 21.

The Court directs Lopez to serve the summons and complaint on Chex Systems, Inc. by March 5, 2025, in accordance with Federal Rule of Civil Procedure 4(h), and to file proof of service on the docket.

Failure to do so may result in a dismissal of the case against Chex Systems due to Lopez's failure to execute service, pursuant to Federal Rule of Civil Procedure 4(m).

It is SO ORDERED.

Dated: February 6, 2025
New York, New York

A handwritten signature in blue ink, appearing to read 'Edgardo Ramos', is written above a horizontal line.

EDGARDO RAMOS, U.S.D.J.